

## EXHIBIT 1

# The State of Texas

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Jane Nelson  
Secretary of State

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October 18, 2024

Ur M. Jaddou  
Director  
U.S. Citizenship and Immigration Services  
5900 Capital Gateway Drive  
Camp Springs, Maryland 20746

Dear Director Jaddou:

I received your letter in response to my request for a process to verify citizenship status information for voter list maintenance purposes through USCIS's data and system.

In your response, you indicate that the "Systematic Alien Verification for Entitlements (SAVE) program is the most secure and efficient way to reliably verify an individual's citizenship or immigration status, including for verification regarding voter registration and/or voter list maintenance." You also maintain that USCIS "currently cannot offer an alternative process to any state."

I appreciate the invitation to coordinate with your staff to pursue a Memorandum of Agreement to access the SAVE database. Indeed, my office has been working with USCIS over the last few months to gain access to SAVE—a time-consuming process based on USCIS's detailed procedures. If you or your staff can help expedite those efforts, we would gratefully accept that assistance.

At the same time, however, your response is quite disappointing. As I explained in my initial letter, federal law is clear: state agencies—like the Office of the Texas Secretary of State—may request citizenship status information from USCIS, and USCIS must provide it upon request. *See* 8 U.S.C. §§ 1373, 1644. To reiterate the relevant federal provision cited in my September 18 letter:

The Immigration and Naturalization Service shall respond to an inquiry by a Federal, State, or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency for any purpose authorized by law, by providing the requested verification or status information.

*Id.* § 1373(c) (emphasis added); *see also id.* §§ 1373(a), 1644. To that end, our office asked for USCIS's help in verifying the citizenship status of certain individuals on Texas's voter rolls as we continue our work to prevent non-U.S. citizen voting consistent with federal and state law.

Merely pointing us to the SAVE system does not fulfill our office's request. Nor, more importantly, does it satisfy USCIS's unambiguous obligations under federal law. For one thing, it

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is our understanding that the SAVE program is designed to confirm a person's *lawful presence* in the United States; it is not an adequate tool, on its own, for a state seeking to verify the *citizenship status* of an individual on the voter rolls. In addition, as you point out, the SAVE service requires the use of, among other things, a "unique DHS-issued immigration identifier"—information that is not maintained by, or readily available to, our office or Texas's voter registrars.<sup>1</sup> On top of that, USCIS charges users a fee for each verification submitted to the SAVE system. By your agency's own acknowledgment, these fees—which we would have to pay simply to obtain data within the federal government's control—will more than double over the next three years.<sup>2</sup>

Our office is requesting the assistance of USCIS to ensure that only eligible U.S. citizens register to vote and participate in Texas's elections. We need usable, effective data from the federal government to accomplish these critical objectives. The SAVE program alone will not suffice.

Thank you again for your attention to this matter and for your service to our country.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane Nelson".

Jane Nelson  
Secretary of State

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<sup>1</sup> Texas's statewide voter registration system does not contain any "DHS-issued immigration identifier[s]." Even if our office could obtain this data from the Texas Department of Public Safety (DPS), that effort would be limited to individuals who provided such information to obtain a driver license or personal identification card from DPS—and thus would not encompass individuals for whom there is no Texas-issued driver license or ID card number in our voter registration system.

<sup>2</sup> See U.S. Citizenship & Immigration Servs., *SAVE Transaction Charges*, <https://www.uscis.gov/save/about-save/save-transaction-charges> (last visited Oct. 18, 2024).